

REVIEW FOR APPLICABILITY OF/COMPLIANCE WITH ORDINANCES/POLICIES

FOR PURPOSES OF CONSIDERATION OF
Totten Minor Grading Permit; 1026-20050212, Log No. 05-14-031

February 8, 2007

I. HABITAT LOSS PERMIT ORDINANCE – Does the proposed project conform to the Habitat Loss Permit/Coastal Sage Scrub Ordinance findings?

YES
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NO
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NOT APPLICABLE/EXEMPT
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Discussion:

The proposed project and any off-site improvements are located within the boundaries of the Multiple Species Conservation Program. Therefore, conformance to the Habitat Loss Permit/Coastal Sage Scrub Ordinance findings is not required.

II. MSCP/BMO - Does the proposed project conform to the Multiple Species Conservation Program and Biological Mitigation Ordinance?

YES
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NO
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NOT APPLICABLE/EXEMPT
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Discussion:

Please refer to the Findings of Conformance Multiple Species Conservation Program for the Totten property on file with the Department of Planning and Land Use as Log No 05-14-031.

III. GROUNDWATER ORDINANCE - Does the project comply with the requirements of the San Diego County Groundwater Ordinance?

YES
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NO
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NOT APPLICABLE/EXEMPT
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Discussion:

As identified within Section 67.722B of the San Diego County Groundwater Ordinance, it has been determined that groundwater resources are adequate to meet the groundwater demands both of the project and the groundwater basin if the basin were developed to the maximum density and intensity permitted by the General Plan.

IV. RESOURCE PROTECTION ORDINANCE - Does the project comply with:

The wetland and wetland buffer regulations (Article IV, Sections 1 & 2) of the Resource Protection Ordinance?	YES <input type="checkbox"/>	NO <input type="checkbox"/>	NOT APPLICABLE/EXEMPT <input checked="" type="checkbox"/>
The Floodways and Floodplain Fringe section (Article IV, Section 3) of the Resource Protection Ordinance?	YES <input type="checkbox"/>	NO <input type="checkbox"/>	NOT APPLICABLE/EXEMPT <input checked="" type="checkbox"/>
The Steep Slope section (Article IV, Section 5)?	YES <input type="checkbox"/>	NO <input type="checkbox"/>	NOT APPLICABLE/EXEMPT <input checked="" type="checkbox"/>
The Sensitive Habitat Lands section (Article IV, Section 6) of the Resource Protection Ordinance?	YES <input type="checkbox"/>	NO <input type="checkbox"/>	NOT APPLICABLE/EXEMPT <input checked="" type="checkbox"/>
The Significant Prehistoric and Historic Sites section (Article IV, Section 7) of the Resource Protection Ordinance?	YES <input type="checkbox"/>	NO <input type="checkbox"/>	NOT APPLICABLE/EXEMPT <input checked="" type="checkbox"/>

Discussion:

The Resource Protection Ordinance is not applicable to Minor Grading Permits however it is important to note that the site contains no wetland habitats as defined by the San Diego County Resource Protection Ordinance. The site does not have a substratum of predominately undrained hydric soils, the land does not support, even periodically, hydric plants, nor does the site have a substratum that is non-soil and is saturated with water or covered by water at some time during the growing season of each year.

It is also important to note that Based on County records, staff field site visits and the Biological Letter Report prepared by REC Consultants dated August 4, 2005 and received August 9, 2006 the 28.5-acre site entirely consists of Coastal sage scrub, a sensitive habitat land. There is a total of 3.0 acres of impact (2.8 acres on-site and 0.2 acres off-site) to Coastal sage scrub associated with the development of one single-family residence. Mitigation is proposed on-site at a ratio of 1.5:1 in accordance with BMO mitigation requirements for Tier II habitat. Thus, a 4.5-acre biological open space easement is proposed along the southern portion of the site. It is important to note that the remainder of the site that is not considered impacted, and is not within the proposed biological open space easement is considered avoided. That is, no other impacts nor development including the establishment of agriculture can take place without further CEQA review. Therefore, through avoidance of 21.2 acres of the site and mitigation through the dedication of a 4.5-acre biological open space easement, it has been found that the proposed project complies with Article IV, Item 6 of the Resource Protection Ordinance.

V. STORMWATER ORDINANCE (WPO) - Does the project comply with the County of San Diego Watershed Protection, Stormwater Management and Discharge Control Ordinance (WPO)?

YES

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NO

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NOT APPLICABLE

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Discussion:

The Stormwater Management Plan is currently under review by the Department of Planning and Land Use Building Division and demonstrates that the project will meet the requirements of the Watershed Protection Ordinance (WPO).

VI. NOISE ORDINANCE – Does the project comply with the County of San Diego Noise Element of the General Plan and the County of San Diego Noise Ordinance?

YES

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NO

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NOT APPLICABLE

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Discussion:

The proposal would not expose people to nor generate potentially significant noise levels which exceed the allowable limits of the County of San Diego Noise Element of the General Plan, County of San Diego Noise Ordinance, and other applicable local, State, and Federal noise control regulations.

Transportation (traffic, railroad, aircraft) noise levels at the project site are not expected to exceed Community Noise Equivalent Level (CNEL)=60 decibels (dB) limit because review of the project indicates that the project is not in close proximity to a railroad and/or airport. Additionally, the County of San Diego GIS noise model does not indicate that the project would be subject to potential excessive noise levels from circulation element roads either now or at General Plan buildout.

Noise impacts to the proposed project from adjacent land uses are not expected to exceed the property line sound level limits of the County of San Diego Noise Ordinance.

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